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## **News Release**

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### **Texas man sentenced on firearms charges connected to the Republican National Convention**

A 23-year-old man from Austin, Texas, who was connected to a group that planned to disrupt the Republican National Convention in September 2008, was sentenced today in federal court on three firearms charges.

On May 21 in Minneapolis, United States District Court Chief Judge Michael Davis sentenced David Guy McKay to 48 months in prison and three years of supervised release on one count of possession of an unregistered firearm, one count of illegal manufacture of a firearm and one count of possession of a firearm with no serial number. McKay pleaded guilty on March 17.

Today's sentence included a finding by Judge Davis that McKay obstructed justice at his January trial by falsely accusing a government informant, Brandon Darby, of inducing him to manufacture the Molotov cocktails.

Judge Davis told McKay that while it was acceptable for people to peacefully protest, McKay's activities took him down a different path, one of anarchy. "I saw you on the videotape," Judge Davis added, referring to evidence shown of McKay during a recording of a violent protest. "You were leading the charge. You and Crowder were coming up here (to Minnesota) to do anarchy against the system."

"This milestone today is another result of two years of diligent preparation for the 2008 Republican National Convention," said Ralph Boelter, Special Agent in Charge of the FBI's Minneapolis Field Office. "The successful outcome in this case is due in no small part to our strong working relationships with partner agencies like U.S. Secret Service, St. Paul Police Department, Ramsey County Sheriff's Office, and the ATF."

McKay was indicted on Sept. 22, 2008, along with a second defendant, Bradley Neal Crowder, 24, Austin, Texas. Crowder was sentenced to 24 months in prison last week on one count of possession of an unregistered firearm. McKay was tried for the crimes in January, but

the jury failed to reach a unanimous verdict.

During McKay's guilty plea hearing, he admitted that from Aug. 31 through Sept. 3, 2008, he knowingly possessed firearms, namely destructive devices, not registered to anyone in the National Firearms Registration and Transfer Record. McKay also admitted that he made the devices, as well as knowingly received and possessed destructive devices not identified by serial number as required by law.

Following a FBI Joint Terrorism Task Force investigation, McKay was arrested by the St. Paul Police Department during the execution of a search warrant on Sept. 3 at a residence on Dayton Avenue. Police found eight assembled Molotov cocktails in the basement. They consisted of bottles filled with gasoline with an attached wick made from tampons.

According to trial testimony, the FBI in Texas began investigating the group, labeled by law enforcement as the Austin Affinity Group, in February 2008. McKay and Crowder were members of the group.

McKay admitted that on Aug. 28, 2008, he, Crowder and other members of the Austin Affinity Group traveled from Austin, Texas, to Minnesota. The group brought a rental trailer with them that contained 35 riot shields, made from stolen traffic barrels. The intended use of the shields was to help demonstrators block streets near the Xcel Energy Center in order to prevent convention delegates from safely reaching the convention. St. Paul Police seized these shields on Aug. 31.

According to trial testimony, McKay and Crowder, angered by the loss of the shields, purchased supplies for constructing Molotov cocktails at a St. Paul Wal-Mart on Aug. 31, including a gas can, motor oil and tampons. They also purchased gasoline at a gas station. They then manufactured the eight Molotov cocktails at an apartment on Dayton Avenue where they were staying.

Law enforcement learned through an informant that McKay and Crowder had manufactured the Molotov cocktails.

During a conversation overheard by law enforcement through electronic surveillance on Sept. 2, McKay told an informant that he intended to throw the Molotov cocktails at police vehicles parked in a lot near the Dayton Avenue apartment. The parking lot was used as a checkpoint area for vehicles entering the security perimeter around the convention site. It was visibly patrolled by the U.S. Secret Service, various police agencies and the military.

During the execution of a search warrant by the St. Paul Police Department at the Dayton Avenue residence where McKay was staying when he was arrested, officers seized a variety of items, including gas masks, slingshots, helmets and knee pads. Under the kitchen sink, officers discovered a two-gallon gasoline container identical to the one purchased by McKay at the Wal-

Mart on Aug. 31. In the basement of the residence, officers found eight assembled Molotov cocktails.

This case was the result of an investigation by the FBI Joint Terrorism Task Force, which includes in addition to the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Ramsey County Sheriff's Office, the Secret Service and the St. Paul Police Department. It was prosecuted by Assistant U.S. Attorneys Jeffrey S. Paulsen and W. Anders Folk.